

Application No.: 10/646,373**Docket No.: 700111202-1 US (1599-440)**RECEIVED
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REMARKS

The claims have been amended to define applicant's contribution to the art with greater particularity and to correct of few errors of a formal nature. The claims now require the transferring steps to be performed automatically, a feature not disclosed by the art applied in the final office action that rejected claims 1-22 as being obvious as a result of Parsons et al., US patent application 2002/0085071, in view of Ilan et al., US patent application 2004/0019700.

It is not clear from the office action what the examiner considers to be the intranet gateway. Apparently, the examiner considers LAN 108 to be the claimed intranet. Based on this presumption, applicant assumes that network interface 216 in presence system 112 is construed to be the claimed intranet gateway. However, if telephone 104 does not answer a telephone call received from one of telephones 116 via public switched telephone network (PSTN), courteously presence system 112 does not automatically transfer the call to network interface 216. Instead, the call is transferred to a selected device, such as network interface 216, only in response to the caller who failed to reach telephone 104 electing to access the particular selected device, such as PCs 110 of LAN 108; see, for example, paragraphs 30, 37, 38 and 47 of Parsons et al.

Based on the foregoing, Parsons et al. fails to disclose the requirements of amended independent claims 1-3 for: automatically transferring the incoming unanswered call to an intranet gateway; automatically transferring the incoming unanswered call to an intended recipient; causing the intranet gateway to automatically

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transfer the incoming unanswered call to a call recordation system; or automatically transferring the incoming unanswered call to a physically proximate recipient device based on information indicative of the physical location of a connection with a proximate recipient device.

While Ilan et al. discloses automatically transferring an incoming telephone call to a recording system via a VoIP gateway, the other automatic transfer operations of claims 1-3 are not disclosed by Ilan et al.. Further, there is no specific indication in Ilan that the call is transferred to the VoIP gateways if the recipient device does not answer an incoming call. Paragraphs 0024 and 0025 state gateway 24A is coupled to a specific telephone station 26 to capture the audio thereof and deliver it via packet-switched network 16 to recording device 14 and gateway 24B taps trunk 22 to capture the audio thereof and deliver it via packet-switched network 16 to recording device 14.

The final office action alleges Parsons et al. discloses all limitations of claims 1-22, except for a VoIP gateway having the ability to transfer an incoming call to a recordation system. In fact, Parsons et al. fails to disclose a VoIP gateway for any purpose. Because Parsons et al. fails to disclose a VoIP for any purpose, it would not have been obvious to one ordinary skill in the art to have included one of the Ilan et al. VoIP gateways in the Parsons et al. system.

Dependent claims 4-22 are allowable for the same reason advanced for the claims upon which they depend. In addition, many of these claims include limitations not disclosed in the applied references. For example, claim 4 requires the intranet gateway that automatically converts the incoming unanswered call to a VoIP call to perform the last two steps of claim 1 on the converted VoIP call. Claim 8 requires the

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hardware residing at the intended recipient's network address to correspond to a software-based VoIP phone, while claim 9 requires the software-based VoIP phone to be running on a computer, laptop, PDA or similar device. Claim 14 requires automatic routing of the call to a network address including hardware that receives the call for the intended recipient if the intended recipient is accessible. Claims 15 and 19 require the intranet gateway to automatically transfer the call to the intended recipient of via the Internet. The examiner is requested to indicate where such limitations are found in the previously applied references.

In view of the foregoing amendments and remarks, allowance is in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,
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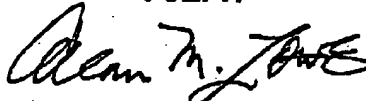
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